

REMARKS

In response to the final Office Action of August 23, 2005, Applicant respectfully requests that the following amendments be entered pursuant to the provisions of 37 C.F.R. § 116. This amendment should be entered because the amendment clarifies the differences over the prior art without raising new issues or subject matter and the amendments are made pursuant to discussions with the Examiner.

Examiner's Interview

Applicant thanks the Examiner for the phone interview on November 4, 2005. During the phone interview, Applicant's attorney pointed out some of the differences between Applicant's invention and *Nessett* (US Pat. No. 5,968,176). In particular, Applicant's attorney pointed out the difference between Applicant's bubbles and *Nessett's* Host Groups 600 and 610. The definition of bubble states that two or more devices have unrestricted network access with each other. (U.S. Pub. No. 2001/0042213, Paragraph 26). The Examiner suggested that since this was a distinguishing feature, Applicant should include this feature in the claim language. Accordingly, Applicant has amended independent claims 1, 17 and 34 to include this feature.

Rejection of Claims Under 35 U.S.C. § 102(e)

Independent Claims 1, 17 and 34

Claims 1, 17 and 34 were amended to incorporate the definition of "bubble" into the claim language itself. That is, the "unrestricted network access with each other" portion of the bubble definition, already contained in the disclosure, has been added to the claim language.

"Unrestricted network access with each other" is a feature of Applicant's claims not disclosed, taught or suggested by *Nessett*. Devices within a *Nessett* host group do not have unrestricted network access with each other. This can be seen in Figure 6 of *Nessett*, where

information flow between end systems of a particular host group must go through at least a repeater and a switch. For example, end system 601 traffic must go through a network interface card, a repeater 604, a switch 606, a router 608, another switch 607, another repeater 605 and another network interface card before reaching server 603. Clearly, devices in Host Group 1 do not share unrestricted network access with each other as recited in independent claims 1, 17 and 34.

During the phone interview, the Examiner indicated that if all the end systems have the same network security policy, then they should have unrestricted network access with each other. This assertion is incorrect. Having the same network security policy does not mean they have unrestricted network access with each other. For example, even though end system 601 might have the same network security policy as end system 602, this does not mean they have unrestricted network access with each other. The network security policy disclosed at the top of column 23 of *Nessett* only discloses that the end systems of different host groups have network access with each other. *Nessett* does not disclose anything about the traffic between end systems within the same host group. Furthermore, since *Nessett* shows no direct connection between the end systems (e.g., 601 and 602) but rather shows a connection through repeaters and switches, it follows that *Nessett* did not contemplate the end systems having unrestricted network access with each other. For at least the reasons discussed above, Applicant submits that claims 1, 17 and 34 are patentably distinct over *Nessett* and the rejection under 35 U.S.C. § 102(e) should be withdrawn.

Dependent Claims 2-16, 18-33 and 35-47

Claims 2-16, 18-33 and 35-47 depend from independent claims 1, 17 and 34, adding structural features that more particularly define the invention and further distinguish over the cited references and prior art.

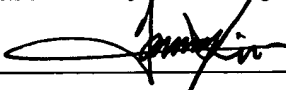
Conclusion

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. Authorization is hereby given to charge our Deposit Account No. 19-2814 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such an extension.

If the Examiner believes that a telephone interview will help further the prosecution of this case, he is respectfully requested to contact the undersigned attorney at the listed telephone number.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 11, 2005.

By: Tanya Kiatkulpiboone




Signature

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Very truly yours,

SNELL & WILMER L.L.P.



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